

House Amendment 8038

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1 1 Amend the amendment, H=8016, to House File 2212, as
1 2 follows:
1 3 #1. Page 1, by striking lines 4 through 8 and
1 4 inserting the following:
1 5 <<____. a. Agricultural property which is used by
1 6 a person when actively engaged in farming, if the
1 7 person is any of the following:
1 8 (1) A person who files schedule F as part of the
1 9 person's annual form 1040 or form 1041 filing with the
1 10 United States internal revenue service, or an employee
1 11 of such person while the employee is actively engaged
1 12 in farming.
1 13 (2) A person who holds an equity position in or
1 14 who is employed by a business association holding
1 15 agricultural land where the business association is
1 16 any of the following:
1 17 (a) A family farm corporation, authorized farm
1 18 corporation, family farm limited partnership, limited
1 19 partnership, family farm limited liability company,
1 20 authorized limited liability company, family trust, or
1 21 authorized trust, as provided in chapter 9H.
1 22 (b) A limited liability partnership as defined in
1 23 section 486A.101.
1 24 (3) A natural person related to the person
1 25 actively engaged in farming as provided in
1 26 subparagraph (1) or (2) when the person is actively
1 27 engaged in farming. The natural person must be
1 28 related as spouse, parent, grandparent, lineal
1 29 ascendant of a grandparent or a grandparent's spouse,
1 30 other lineal descendant of a grandparent or a
1 31 grandparent's spouse, or a person acting in a
1 32 fiduciary capacity for persons so related.
1 33 b. For purposes of this subsection:
1 34 (1) "Actively engaged in farming" means
1 35 participating in physical labor on a regular,
1 36 continuous, and substantial basis, or making
1 37 day-to-day management decisions, where such
1 38 participation or decisionmaking is directly related to
1 39 raising and harvesting crops for feed, food, seed, or
1 40 fiber, or to the care and feeding of livestock.
1 41 (2) "Agricultural property" means land of more
1 42 than ten contiguous acres owned, leased, or held by a
1 43 person, any residence or other structure located on
1 44 that land, and any equipment used on that land.>>
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